

inherently described, in a single prior art reference." M.P.E.P. § 2131 (February 2003). The M.P.E.P. further states that "the identical invention must be shown in as complete detail as contained in the . . . claim." *Id.* As described in detail below, applicants respectfully submit that the cited references fail to inherently or explicitly disclose each and every element "in as complete detail as contained in the claims."

With respect to Claims 1 and 17, applicants claim a method where commands are communicated from a telephone to a voice message system to control the playback of a message. More specifically, applicants claim a method having a combination of steps, including the steps of "repositioning the voice message upon receipt of a start command to begin repositioning, wherein the start command is communicated from a telephone to the voice message system," and "stopping the repositioning upon receipt of a stop command initiated by the user to stop the repositioning, wherein the stop command is communicated from the telephone to the voice message system." These claimed steps and the steps for providing repositioning feedback are not disclosed in the cited references.

The Office Action asserts that *Greco* inherently discloses a method where a playback command is communicated from a telephone to a voice message system. *Office Action*, page 3, lines 1-2. More specifically, the Office Action asserts that a method of listening to a message over a telephone inherently discloses a method where a playback command is communicated from a telephone to a voice message system. Applicants submit that this assertion is incorrect, as *Greco*'s description of the computerized message device does not inherently or explicitly disclose a method where message playback commands are communicated from a telephone to a voice message system.

Greco focuses on a voicemail system that provides message playback controls on a graphical user interface. During playback of the messages, a user can listen to messages on a

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telephone or on a set of computer speakers. Although *Greco* discloses a system where a user can use a telephone to listen to messages on a telephone, the telephone 54 is only used to allow a caller to listen to the messages. *Id.*, col. 5, lines 31-32. There is no inherent disclosure of any function where a playback command is communicated from the telephone. *Greco* does not even disclose a structure that will support such a function. Instead, *Greco* specifically states that control buttons are shown on a computer display when a user is listening to the messages. *Greco*, col. 5, lines 37-55. *Greco* continues to explain how the system allows a user to control functions of the voicemail system by entering play, fast forward, rewind, and stop commands via a graphical user interface. *Greco*, col. 3, lines 33-40.

Given that the playback control commands are exclusively communicated through the graphical user interface, under any interpretation of *Greco*, there is no inherent or explicit disclosure of a method where "start" or "stop" commands are "communicated from a telephone to the voice message system." Since there is no suggestion or inherent disclosure of a command being communicated from the telephone to the computer, applicants submit that the rejection of Claims 1 and 17, and the respective dependent claims, is improper.

Rejection Under 35 U.S.C. § 103

Since there is no suggestion or inherent disclosure of a command being communicated from the telephone to the computer, nor is there any suggestion of a structure having the capabilities to communicate a command from a telephone to a computer, the cited references do not disclose or suggest each and every element of the claimed invention. More specifically, *Greco* does not disclose or suggest the elements of "repositioning the voice message upon receipt of a start command to begin repositioning, wherein the start command is communicated *from a telephone to the voice message system*," and "stopping the repositioning upon receipt of a stop

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command initiated by the user to stop the repositioning, wherein the stop command is communicated *from the telephone to the voice message system.*"

Instead, *Greco* only discloses a computerized answering machine that allows a caller to use a telephone to leave voice messages. *Greco* makes no reference to a system that enables a user to initiate commands on a telephone to control a voice message system by the use of DTMF signals or any other like control mechanism. Thus, for at least these reasons, applicants submit that the rejection under 35 U.S.C. § 103 is improper.

CONCLUSION

In view of the foregoing remarks, it is submitted that the present application is in condition for allowance. Reconsideration and reexamination of the application, and allowance of the claims are solicited. If the Examiner has any questions or comments concerning this matter, the Examiner is invited to contact applicants' undersigned attorney at the number below.

Respectfully submitted,

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I hereby certify that this correspondence is being transmitted via facsimile to the U.S. Patent and Trademark Office, Group Art Unit 2645, at facsimile number 1-703-872-9315 on July 10, 2003.

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